

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN RE:)	CHAPTER 7 PROCEEDING
)	
PRINCE C. AJAERE,)	CASE NO. 18 B 20760
)	
DEBTOR.)	HON. TIMOTHY A. BARNES

NOTICE OF MOTION

PLEASE TAKE NOTICE that on **Monday, January 4, 2021, at 1:00 p.m.**, I will appear before the Honorable Janet S. Baer, or any judge sitting in that judge's place, and present the U.S. Trustee's **Motion for Rule 2004 Examination of Debtor**, a copy of which is attached.

This motion will be presented and heard electronically using Zoom for Government. No personal appearance in court is necessary or permitted. To appear and be heard on the motion, you must do the following:

To appear by video, use this link: <https://www.zoomgov.com/>. Then enter the meeting ID and password.

To appear by telephone, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID and password.

Meeting ID and password. The meeting ID for this hearing is 161 329 5276 and the password is 433658. The meeting ID and password can also be found on the judge's page on the court's web site.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without a hearing.

/s/ M. Gretchen Silver
M. Gretchen Silver, Attorney
OFFICE OF THE U.S. TRUSTEE
219 S. Dearborn, Room 873
Chicago, Illinois 60604
(312) 353-5054

CERTIFICATE OF SERVICE

I, M. Gretchen Silver, an attorney, certify that I served a copy of this notice, the attached motion, and proposed order on each entity shown on the attached list at the address shown and by the method indicated on December 18, 2020, before 5:00 p.m.

/s/ M. Gretchen Silver

SERVICE LIST

Registrants Served Through the Court's Electronic Notice For Registrants:

- Patrick S Layng USTPRegion11.ES.ECF@usdoj.gov
- Eric J Malnar emalnar@huckbouma.com
- O. Anthony Olivadoti courtdocs@chi13.com
- N. Neville Reid nreid@foxswibel.com,
nreid@ecf.axosfs.com;bkdocket@foxswibel.com;eanderson@foxswibel.com
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- Amanda J Wiese bankruptcy@hsbattys.com,
bk4hsbm@gmail.com;hbm@ecf.courtdrive.com

Parties Served via First Class Mail:

See Exhibit A—Attached Declaration of Mailing/Certificate of Service

Prince C. Ajaere
6239 Vincent Lane
Matteson, IL 60443

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MOTION FOR RULE 2004 EXAMINATION OF DEBTOR

NOW COMES PATRICK S. LAYNG, the United States Trustee for the Northern District of Illinois, by his attorney, M. Gretchen Silver, and moves the Court to enter an order authorizing discovery from Prince C. Ajaere (the “Debtor”) pursuant to Fed. R. Bankr. P. 2004. In support of his request, the United States Trustee the following:

1. This is a core proceeding under 28 U.S.C. § 157(b)(2)(A) which this Court may hear and determine pursuant to IOP 15(a) and LR40.3.1(a) of the United States District Court for the Northern District of Illinois and Local Rule 9013-9.

2. Movant is the United States Trustee for the Northern District of Illinois and brings this motion pursuant to Fed. R. Bankr. P. 2004.

3. On July 25, 2018, the Debtor filed his voluntary petition for relief under Chapter 13 of the Bankruptcy Code which converted to Chapter 7 on October 21, 2020. N. Neville Reid was appointed to be the Chapter 7 Trustee in the Debtor’s case.

4. The last date to object to the Debtor’s discharge or to file a motion to dismiss his case under § 707 is currently set for January 19, 2021.

5. According to Schedule E/F the Debtor lists a total of \$31,565 in unsecured nonpriority debt.¹ According to Debtor’s second amended Schedule I/J² Debtor lists \$4,333.00 in

¹ See Docket No. 11 filed on August 9, 2018.

² See Docket No. 83 filed on October 19, 2020.

gross monthly income and his non-filing lists \$6,678.00 in gross monthly income, both from employment at Healthy Health Home Health Inc., for a combined annual income of \$132,132.00. Debtor's monthly expenses are listed as \$9,035.00 and leaves \$0 in monthly net income.

6. The U.S. Trustee seeks discovery to verify the veracity, truthfulness, and completeness of the Debtor's petition, schedules, and statement of financial affairs in order to evaluate whether there may be a basis to object to the Debtor's discharge under Section 727 of the Bankruptcy Code or file a motion to dismiss Debtor's case pursuant to Section 707. To do so, the U.S. Trustee needs to elicit discovery from the Debtor under Federal Rule of Bankruptcy Procedure 2004(c), including the production of documents and attendance at an examination, if necessary.

WHEREFORE, the U.S. Trustee requests the Court to enter an order authorizing the United States Trustee to conduct discovery of the Debtor under Fed. R. Bankr. P. 2004, and for such other relief as is just.

RESPECTFULLY SUBMITTED:

PATRICK S. LAYNG
UNITED STATES TRUSTEE

DATED: December 18, 2020

/s/ M. Gretchen Silver
M. Gretchen Silver, Attorney
OFFICE OF THE U.S. TRUSTEE
219 S. Dearborn, Room 873
Chicago, Illinois 60604
(312) 353-5054